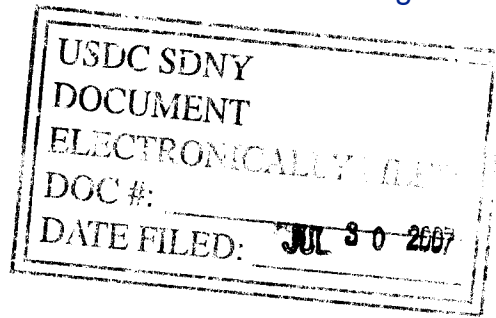


JUDGE RAKOFF

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
UNITED STATES OF AMERICA :
 :
- v. - :
 :
CARLOS MARTINEZ, :
a/k/a "Monstro," :
a/k/a "Manuel Suarez," :
 :
Defendant. :
 :
----- x

INDICTMENT

07 CRIM. 706

COUNT ONE

The Grand Jury charges:

1. On or about April 6, 2007, in the Southern District of New York, CARLOS MARTINEZ, a/k/a "Monstro," a/k/a "Manuel Suarez," the defendant, unlawfully, intentionally, and knowingly, did distribute and possess with intent to distribute a controlled substance, to wit, 5 grams and more of mixtures and substances containing a detectable amount of cocaine base in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1)
and 841 (b)(1)(B))

FORFEITURE ALLEGATION

2. As a result of committing the controlled substance offense alleged in Count One of this Indictment, CARLOS MARTINEZ, a/k/a "Monstro," a/k/a "Manuel Suarez," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said

defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment, including but not limited to proceeds obtained as a result of the offense described in Count One of this Indictment.

SUBSTITUTE ASSETS PROVISION

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

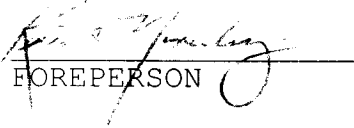
d. has been substantially diminished in value;

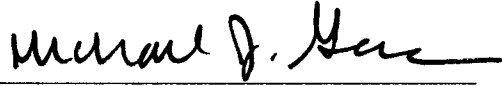
or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 846 and 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

CARLOS MARTINEZ,

Defendant.

INDICTMENT

(Title 21, United States Code,
Sections 812, 841(a)(1), 841(b)(1)(B))

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Frederic J. [Signature]
Foreperson.

7-30-07
JTE

Filed Indictment. Case assigned to Judge
Rahoff.

Pitman
U.S.M.J.